

## Remarks

Reconsideration of the present application, as amended, is respectfully requested.

Of previously pending claims 1-23 and 29, all were rejected. Claims 1-6 were rejected under 35 U.S.C. §101 for nonstatutory subject matter. Claim 5 was objected to for informalities. Claims 1-4, 6-17, 19-23 were rejected under 35 U.S.C. §103(a) as being obvious over the previously cited Kabala and Lewis patents. Claim 29 was rejected under 35 U.S.C. §103(a) as being obvious over the Lewis patent in view of the previously cited Raviv patent application.

In this amendment, the applicant has amended claims 1, 5, 11, 17, 18, 20 and 29. The amendments either add the word, “physical,” to the phrase, “static location information,” or, in the case of claim 5, insert the words, “physical location,” between the words, “static” and “information.” Claim 21 has been canceled.

### Rejection of Claims 1-6 under 35 U.S.C. §101 for Nonstatutory Subject Matter.

With respect to the rejection of claims 1-6, the applicant is uncertain as to the precise nature of the Examiner’s question. Independent claim 1 recites:

A wireless transceiver device...comprising  
computer code stored in said wireless transceiver device, said computer  
code for causing static location input information associated with the wireless  
transceiver device to be accepted;  
a memory...;  
computer code stored in said wireless transceiver device, said computer  
code for causing a record associated with the roaming device to be generated...;  
and  
a processor....

And, as the Examiner notes, “the claim recites both computer program product and the hardware mixed in together (applicant’s underlining).” These are elements which comprise the claimed wireless device. To the applicant, the claim appears to be a straightforward device or apparatus claim. How the claim could fail to meet the requirements of 35 U.S.C. §101 is not understood.

### Objection to Claim 5

Claim 5 was objected to for informalities. The undersigned thanks the Examiner for his helpful suggestions and the claim has been amended accordingly.

Rejection of Claims 1-4, 6-17, and 19-23 under 35 U.S.C. §103 Over Kabala in View of Lewis

Of the claims rejected, including the three independent claims 1, 7 and 17, the Examiner addressed independent claim 17 initially in his rejection. Claim 17, as amended, calls for:

A method for utilizing a transceiver device, the transceiver device being a wireless transceiver device, the transceiver device having a communications range, the method comprising:

receiving static physical location information into an editable field stored in memory associated with the transceiver device, the static physical location information being information pertaining to the transceiver device;

storing the static physical location information into the editable field;

receiving an indication that a roaming device is within the communications range;

creating a record, the record being arranged to include information associated with the roaming device;

adding the static physical location information into the record; and  
storing the record in the memory.

As amended, claim 17 better distinguishes the applicant's invention from the Examiner's Response to Arguments in which "static location information" was interpreted to include logical or network address information. With the amendment, claim 17 is patentably distinguishable from the cited Lewis patent.

Furthermore, aside from the "static physical location information" amendment above, a *prima facie* case of obviousness still has not been made. In making the rejection, the Examiner stated:

Regarding claims 1, 7, 17, Kabala discloses a method for utilizing a transceiver device, the transceiver device being a wireless transceiver device, the transceiver device having a communications range, the method comprising:

receiving an indication that a roaming device is within the communication range (col. 5, lines 40-50 teaches or suggests the attendees view a produce and faces the product and transmissions from his badge on the name tag are received by the respective transceiver disposed proximal to that product.);

creating a record, the record being arranged to include information associated with the roaming device (fig. 5 and its descriptions teaches or suggests the record having information associated with the attendees.)

Kabala, however, does not specifically teach or suggest all other claim limitations.

In a similar endeavor, Lewis discloses multi-communication access point. Lewis also discloses:

receiving static location information (first column of figure 3) into an editable field stored in a memory (i.e., memory 34) associated with the transceiver device (i.e., access point 19), the static location information being information

pertaining to the transceiver device and storing the static location information into the editable field (fig. 3, and its descriptions. Also, see col. 5, lines 9-25 [how the processor 30 uses the look-up table in memory 34 to decide which transceiver 36a or 36b to use], and col. 6, lines 13-46 [how a mobile terminal is registered with the transceivers 36a or 36b]);

adding the static location information into the record and storing the record in the memory (fig. 3, and its descriptions).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kabala in view of Lewis.

The motivation/suggestion for doing so would have been to effectively keep the record of the roaming device having access to the network. [Not true, already have the record in the computer 110 of Kabala.]

Claim 17 has been amended so that the “static location information” now reads “static physical location information” to better distinguish and point out the applicant’s invention. Nowhere in the table shown in Fig. 3 of the Lewis patent is there a description of static location information pertaining to the transceiver device, as called for in the claim. The only information pertaining to the access point, which the Examiner has identified with the applicant’s transceiver device, in the Fig. 3 table is “which particular transceiver 36 in the access point 19 has been assigned to carry out communications with the mobile terminal 21 identified in the first column.” See col. 6, lines 5-7. Such information is considered logic or network address information. It should be readily evident that such is not “static physical location information.”

Furthermore, aside from the issue of the “static physical location information,” the combination of the cited Kabala and Lewis patents fails to make a *prima facie* case of obviousness. The cited Lewis patent purportedly teaches the static information receiving step, the static information storing step, the static information adding step and the record storing step. Regarding the static information receiving step, the Examiner stated, “Lewis also discloses: receiving static information into an editable field stored in a memory (i.e., memory 34) associated with the transceiver device (i.e., access point 19), the static information being information pertaining to the transceiver device and storing the static information into the editable field (fig. 3, and its descriptions. Also, see col. 5, lines 9-25, and col. 6, lines 13-46); adding the static information into the record and storing the record in the memory (fig. 3, and its descriptions),...”

First, the Examiner finds that a purported equivalent of the reception of the applicant's "static information" and storage in an editable field of the table shown in Fig. 3 of the Lewis patent, the equivalent of the applicant's static information receiving step and the static information storing step. But in a perusal of the cited portions of the Lewis patent, the applicant had not found other steps which the Examiner had identified as corresponding to the applicant's the static information adding step and the record storing step. The applicant had requested that the Examiner explain where such other unidentified steps appear in the cited Lewis patent. The Examiner merely repeated the language of his previous rejection and so the applicant assumes that the Examiner could not find such steps.

Secondly, if the Examiner is assuming that a change in the look-up table in the memory 34 is caused by the appearance of a mobile terminal 21 within the range of an access point 19, the applicant notes that what is being added into putative record is "static information," which is not ordinarily changed during operation of the access point. See applicant's specification, page 7, lines 26-28.

Thirdly, the Examiner does not explain why an access point 19 should be adding static information into a record and storing the record in a memory when it is a central control processor 110 of Kabala, or presumably the client servers 23a, 23b of Lewis, which creates the record, according to the rejection of claim 17. This arrangement appears to be distorted and contrary to good engineering practice.

Finally, the purported motivation/suggestion for making the combination of the Kabala and Lewis patents as urged by the Examiner "would have been to effectively keep the record of the roaming device having access to the network." However, this is not true, since by the Examiner's own reasoning, the central control processor 110 of Kabala already has these records.

Therefore, claim 17 should be allowable over the cited Kabala and Lewis patents. Dependent claims 19-23 should allowable at least for being dependent upon an allowable base claim.

Turning to independent claim 1 which calls for:

A wireless transceiver device, the wireless transceiver device being arranged to interface with a roaming device, the wireless transceiver device comprising:

- computer code stored in said wireless transceiver device, said computer code for causing static location input information associated with the wireless transceiver device to be accepted;

- a memory arranged to store data, the memory further including an editable field, wherein the computer code for causing the static location input information to be accepted causes the static input information to be stored in the editable field;

- computer code stored in said wireless transceiver device, said computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the static location input information stored in the editable field and the data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored on the memory; and

- a processor for executing the computer codes, wherein the memory is further arranged to store the computer codes.

Independent claim 1 should also be allowable for the same reasons advanced above with respect to claim 17, i.e., that the cited Lewis patent does not teach “static physical location input information associated with the wireless transceiver device,” as recited in the amended claim. Also, there is no teaching in the Lewis patent of “computer code stored in said wireless transceiver device, said computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the static location input information..., ” as pointed out above with respect to claim 17.

Hence for at least these reasons, claim 1 should be allowable over the Kabala and Lewis patents. Claims 2-4 and 6 should also be allowable for at least being dependent upon an allowable base claim.

Remaining independent claim 7 calls for:

A wireless transceiver device, the wireless transceiver device being arranged to interface with a first device, the transceiver device comprising:

- means for accepting input information associated with the wireless transceiver device;

- means for storing data, the means for storing the data further including means for storing the input information in an editable field, wherein the means for accepting the input information includes means for providing the input information to the editable field; and

- means for generating a record associated with the first device, the record being arranged to include the input information stored in the editable field,

wherein the means for storing the data further includes means for storing the record.

Likewise, independent claim 7 should be allowable for the same reasons advanced with respect to independent claim 17. That is, as the applicant understands the Examiner's reasoning, the Lewis patent purportedly teaches the applicant's "means for accepting input information associated with the wireless transceiver device..." and "means for storing data,..." from the Fig. 3 table of the Lewis patent. But the equivalent of the applicant's "means for generating a record associated with the first device, the record being arranged to include the input information stored in the editable field..." is not taught in the Lewis patent, as far as the applicant has been able to determine.

Hence independent claim 7 should be allowable over the Kabala and Lewis patents. Claims 8-16 should also be allowable for at least being dependent upon an allowable base claim. The applicant points out that dependent claim 11 has the limitation that the input information is a physical location associated with the wireless transceiver device.

#### Rejection of Claim 29 under 35 U.S.C. §103 Over Lewis in View of Raviv

Claim 29 calls for:

A method for utilizing an access point, the access point having a communications range, the method comprising:

- receiving static physical location information into an editable field stored in a memory of the access point, the static location information being information pertaining to the access point;
- storing the static physical location information into the editable field;
- receiving an indication that a roaming device is within the communications range;
- registering the roaming device after the indication is received, wherein registering the roaming device includes performing a remote authentication;
- creating a record after registering the roaming device, the record being arranged to include information associated with the roaming device;
- obtaining the static physical location information from the editable field;
- adding the static location information into the record; and
- storing the record in the memory.

The applicant respectfully differs with the Examiner and points out that the rejection suffers from similar deficiencies as noted with respect to claim 17. The Examiner states the applicant's receiving static location information step and storing static location information step

are disclosed by the look-up table illustrated in Fig. 3 of the Lewis patent. Since the applicant finds no disclosure of an editable field *per se*, the information must be stored in the look-up table, as suggested by the cited portions of the Lewis patent, especially col. 4, lines 39-46. After registering the roaming device according to the Raviv patent, the Examiner suggests that a record is created in the Fig. 3 look-up table with information of the roaming device. As shown in Fig. 3, the identity of a roaming device is associated with the identity of an access point transceiver. “Generally speaking, the look-up table stored within the memory 34 enables the access point 19 to maintain a record insofar as how the various mobile terminals 21 registered to the access point 19 correspond to and are serviced by multiple transceivers included in the access point 19.” Col. 4, lines 41-46.

However, how are the static information obtaining step, static location information adding step and record storing step accounted for? The Examiner has already created a record with the roaming device information and the access point information. If the Examiner assumes that the look-up table reshuffles the information in a record so as to carry out the applicant’s static information obtaining, static location information adding and record storing steps, such a reshuffling is subject to at least two criticisms. First, there is no such description of such a reshuffling. Secondly, such a reshuffling is inefficient. Assuming *arguendo* that a reshuffling were performed, such a reshuffling would not obtain the static information and add that information into the record and store that record, since the static information pertains to the access point and is unlikely to change. Rather, it is the information associated with the roaming device which would be obtained, added into the record and stored, since that information is likely to change.

Finally, claim 29 has been amended so that “static location information” becomes “static physical location information.” The information pertaining to the access point stored in the look-up table is identity of the transceivers included in the access point 19.

Hence independent claim 29 is not obvious over the cited Lewis and Raviv patents and should be allowable.

Therefore, in view of the amendments above and the remarks directed thereto, the applicant requests that the rejections be withdrawn, that claims 1-20, 22, 23 and 29 be allowed,

and the case be passed to issue. If a telephone conference would in any way expedite the prosecution of the application, the Examiner is asked to call the undersigned at (408) 868-4088.

Respectfully submitted,

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